



SECTION 106A TOWN AND COUNTRY PLANNING ACT 1990

Application for Modification or Discharge of Planning Obligation

1a. Applicant:		1b. Agent:	
Name	J. COKER	Name	
Address	2 ST. GEORGES SQN BOGNOR REGIS	Address	
Post Code	PO21 5SN	Post Code	
Tel No		Tel No	
Email		Email	

2. Address or location of the land to which this application relates:
LAND AT WEST MEADS, BOGNOR REGIS, WEST SUSSEX PO15 8AA
The application must be accompanied by a location plan with the site edged red

3. Please state the nature of the applicant's interest in the land (i.e. landowner, leaseholder, prospective purchaser):
LANDOWNER

4. Type of Application	
Application to discharge obligation	YES/NO
Application to modify obligation	YES/NO

5. Planning Agreement	
Date Planning Agreement was entered into	23/05/2011 and 05/06/2014
Reference of relevant Planning Permission	AW/259/10
Obligation to be discharged/amended	TO AMEND THE UNILATERAL UNDERTAKING DATED 23/05/2011 TO EXCLUDE INDIVIDUAL OWNERS OF COMPLETED WELLS FROM LIABILITY.

6. Brief outline of reasons for applying to discharge/amend the obligation:

1. The site was developed by a developer who would have been liable to make the payments under the obligations
2. The developer would have taken the costs of the obligations into account when selling the individual dwellings
3. To enforce the obligations against the owners of the individual dwellings would mean that they are paying twice
4. Enforcement against individual dwellings would, in the circumstances, be unreasonable

7. Please state any other information considered relevant to this application

1. Cabinet, on 04/03/2019 determined, in its discretion, that enforcement would not be undertaken against the owners of individual dwellings and therefore the threat of enforcement should be removed.
2. Council (May 2016) put a cash affordable housing contribution for 7-10 dwellings.

9. Are you, or the person you are acting for, related to any member of staff or Elected member of the Council? If yes please specify details:

I/We hereby apply for the approval of the planning obligation.

Signed



On behalf of (insert applicants name if signed by agent)

Date:

10/6/19

Certificates -- This application must be accompanied by a completed ownership certificate A or B (whichever is appropriate) and if Certificate B applies a Notice* must also be served on the Owner(s)

*Separate Notice attached to the end of this form

Data Protection

The information collected from this form will be used by Arun District Council only for purposes as indicated on our Privacy Notice <https://www.arun.gov.uk/planning-privacy-statements>

CERTIFICATE A

I certify that on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable against nobody other than the applicant.

Signed:

(If appropriate) On behalf of:

Date:

CERTIFICATE B

I certify that the applicant has given notice to everyone else against whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application related was enforceable as listed below:

Person on whom notice served	Address it was served	Dated it was served
A WATLING AND JACKSON - Administrators Mildren Homes Ltd	OFFICE 2 BENSON & HOUSE TOWN QUAY SOUTHAMPTON SO14 2AR.	

Signed

(If appropriate) On behalf of:

Date:

Cont...

